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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
Douglas D. DeMasi, Sr.
SN 09/845,999
Filed: 9/24/2001
For "Universal Flying Hawk"

: Art Unit 3725
: Examiner Miller, Bena B.

8 Scenic Dr.; Hagan Farms
Poughkeepsie, NY 12603-5521
August 27, 2009

APPEAL TO THE BOARD OF APPEALS AND INTERFERENCES

CORRECTED COPY OF CLAIMS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop AF

Sir:

Pursuant to the Notification of Non-Compliant Appeal Brief mailed 8/07/2009, applicant hereby tenders as an attachment in triplicate a corrected copy of the claims for the Appeal to the Board of Patent Appeals and Interferences in the above identified patent application.

To facilitate appreciation of the corrections, appellant sets forth below the claims corrected, with the additions being set forth in *italics*, and the deletions in brackets [*].

Claim 21: A rider recreational product having a wing section and a fuselage or tail section for skimming on water and flying through the air aerodynamically and separable into two sections, comprising a first section constituting the wing of the product and deriving its lift in flight from *the reaction* forces resulting from its motion through air and independently usable as a rideable element, and a second section constituting the fuselage or tail section of the product and independently usable as a surfboard or ski.

Claim 28: A board usable as a fuselage or tail section of a recreational product for skimming on water and flying *the product derives its lift in flight through the reaction forces resulting from its motion* through the air aerodynamically and usable independently as a surfboard or ski, comprising a generally thin and flat elongated portion, a wider rear end on the elongated portion, and thin fins extending a) upwardly when used as a ski and b) downwardly when used as a surfboard and c) longitudinally from a surface of the wider rear end and [that] *the thin fins* are upwardly when the board is attached to the recreational product for aiding control when the product is in motion *through air* aerodynamically.

Claim 34: A device comprising a thin, wide body usable as [an] *a reaction-force* aerodynamically-supporting wing of a waterborne and airborne recreational vehicle and independently as a rideable element, comprising a central front end portion, a wide rearward portion, and a central rearward portion having a rearward facing opening for receiving an attachment rendering the body the wing of a recreational vehicle.

Claim 38: A rider recreational product having a wing and a fuselage or tail section for skimming on water and flying through the air aerodynamically and separable into two sections, comprising a first section constituting the wing of the product *when the board is attached to the recreational product* and deriving its lift in flight from *the reaction* forces resulting from its motion through air and independently usable as a rideable element, and a second section constituting the fuselage or tail section of the product and independently usable as a surfboard or ski, the first section having longitudinally-extending control fins on its underside for withstanding rugged or slow turns in water and air.

Claim 41: A rider recreational product for skimming on water and flying through air and separable into two sections according to claim 38, wherein there is a central longitudinal fin *on the underside of the first section* to insure even pressure throughout the first section when in motion.

Claim 44: A rider recreational product having wings for skimming on water and flying through air aerodynamically comprising first parts constituting the wings of the product and deriving its lift in flight from *the reaction* forces resulting from its motion through air and engaging the water during skimming on water.

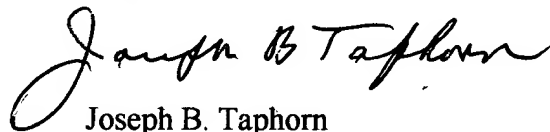
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Respectfully submitted,



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(viii) CORRECTED Claims Appendix

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Claim 22: A recreational product according to claim 21, wherein the wing section has control elements on its upper surface for engagement by the rider.

Claim 23: A recreational product according to claim 21, wherein the tail section has control elements on its upper surface for engagement by the rider.

Claim 24: A recreational product according to claim 21, wherein the wing section has longitudinally extending fins on its underside for facilitating control of the product when in motion.

Claim 25: A recreational product according to claim 21 wherein the tail section has longitudinally extending fins on its upper side for facilitating control of the product when in motion.

Claim 26: A recreational product according to claim 24, wherein the tail section has longitudinally extending fins on its upper side for facilitating control of the product when in motion.

Claim 27: A recreational product according to claim 26, wherein both the wing section and the tail section also have control elements on their upper surfaces for engagement by the rider.

Claim 28: A board usable as a fuselage or tail section of a recreational product for skimming on water and flying the product derives its lift in flight through the reaction forces resulting from its motion through the air aerodynamically and usable independently as a surfboard or ski, comprising a generally thin and flat elongated portion, a wider rear end on the elongated portion, and thin fins extending a) upwardly when used as a ski and b) downwardly when used as a surfboard and c) longitudinally from a surface of the wider rear end and the thin fins are upwardly when the board is attached to the recreational product for aiding control when the product is in motion through air aerodynamically.

Claim 29: A board according to claim 28, wherein the surface that is upwardly when the board is attached to the recreational product has control elements on its upper surface for engagement by the rider.

Claim 30: A board according to claim 28, wherein the surface that is upwardly when the board is attached to the recreational product is of a non-slip material.

Claim 31: A board according to claim 29, wherein the surface that is upwardly when the board is attached to the recreational product is of a non-slip material.

Claim 32: A board according to claim 29, wherein the surface that is upwardly when the board is attached to the recreational product has control elements for engagement by the rider to control the product when it is in motion.

Claim 33: A board according to claim 29, wherein the board is constituted of upper and lower layers separated by an inflatable bladder.

Claim 34: A device comprising a thin, wide body usable as a reaction-force aerodynamically-supporting wing of a waterborne and airborne recreational vehicle and independently as a rideable element, comprising a central front end portion, a wide rearward portion, and a central rearward portion having a rearward facing opening for receiving an attachment rendering the body the wing of a recreational vehicle.

Claim 35: A device according to claim 34, and a tow hook secured to the central front end portion.

Claim 36: A device according to claim 34, and fins that extend longitudinally on its underside.

Claim 37: A device according to claim 34, wherein the body is constituted of upper and lower layers separated by an inflatable bladder, and the upper layer has a non-slick upper surface and bears elements for engagement by the rider to control the body when it is in motion.

Claim 38: A rider recreational product having a wing and a fuselage or tail section for skimming on water and flying through the air aerodynamically and separable into two sections, comprising a first section constituting the wing of the product when the board is attached to the recreational product and deriving its lift in flight from the reaction forces resulting from its motion through air and independently usable as a rideable element, and a second section constituting the fuselage or tail section of the product and independently usable as a surfboard or ski, the first section having longitudinally-extending control fins on its underside for withstanding rugged or slow turns in water and air.

Claim 39: A rider recreational product for skimming on water and flying through the air and separable into two sections according to claim 38, wherein the first section has a front end, and a tow hook secured to the front end of the first section.

Claim 40: A rider recreational product for skimming on water and flying through the air and separable into two sections according to claim 38, wherein both the wing section and the tail section have control elements on their upper surfaces for engagement by the rider.

Claim 41: A rider recreational product for skimming on water and flying through air and separable into two sections according to claim 38, wherein there is a central longitudinal fin on the underside of the first section to insure even pressure throughout the first section when in motion.

Claim 42: A rider recreational product for skimming on water and flying through air and separable into two sections according to claim 41, wherein there are longitudinally-extending fins at the outer edges of the first section for added lift and control.

Claim 44: A rider recreational product having wings for skimming on water and flying through air aerodynamically comprising first parts constituting the wings of the product and deriving its lift in flight from the reaction forces resulting from its motion through air and engaging the water during skimming on water.

Claim 45: A rider recreational product for skimming on water and flying through air according to claim 44, said product also having a fuselage or tail section, and a second part constituting the fuselage or tail section of the product and engaging the water during skimming on water.

Claim 46: A rider recreational product for skimming on water and flying through air according to claim 44, wherein the first parts constituting the wings of the product and engaging the water during skimming on water have control elements on their upper surfaces for engagement by the rider.

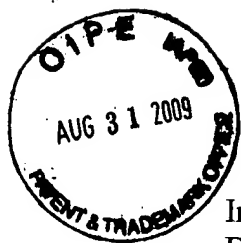
Claim 47: A rider recreational product for skimming on water and flying through air according to claim 45, wherein the second part constituting the fuselage or tail section of the product and that engages the water during skimming on water has control elements on its upper surface for engagement by the rider.

Claim 48: A rider recreational product for skimming on water and flying through air according to claim 44, wherein the first parts constituting the wings of the product and engaging the water during skimming on water have longitudinally extending fins on their undersides for facilitating control of the product when in motion.

Claim 49: A rider recreational product for skimming on water and flying through air according to claim 45, wherein the second part constituting the fuselage or tail section of the product and that engages the water during skimming on water has longitudinally extending fins on its upperside for facilitating control of the product when in motion.

Claim 50: A rider recreational product for skimming on water and flying through air according to claim 48, wherein the second part constituting the fuselage or tail section of the product and that engages the water during skimming on water has longitudinally extending fins on its underside for facilitating control of the product when in motion.

Claim 51: A rider recreational product for skimming on water and flying through air according to claim 50, wherein both the first parts constituting the wings of the product and engaging the water during skimming on water and the second part constituting the fuselage or tail section of the product the wing of the product and engaging the water during skimming on water have control elements on their upper surfaces for engagement by the rider in prone, sitting, kneeling and standing positions.



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Claim 28: A board usable as a fuselage or tail section of a recreational product for skimming on water and flying *the product derives its lift in flight through the reaction forces resulting from its motion* through the air aerodynamically and usable independently as a surfboard or ski, comprising a generally thin and flat elongated portion, a wider rear end on the elongated portion, and thin fins extending a) upwardly when used as a ski and b) downwardly when used as a surfboard and c) longitudinally from a surface of the wider rear end and [that] *the thin fins* are upwardly when the board is attached to the recreational product for aiding control when the product is in motion *through air* aerodynamically.

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Claim 38: A rider recreational product having a wing and a fuselage or tail section for skimming on water and flying through the air aerodynamically and separable into two sections, comprising a first section constituting the wing of the product *when the board is attached to the recreational product* and deriving its lift in flight from *the reaction* forces resulting from its motion through air and independently usable as a rideable element, and a second section constituting the fuselage or tail section of the product and independently usable as a surfboard or ski, the first section having longitudinally-extending control fins on its underside for withstanding rugged or slow turns in water and air.

Claim 41: A rider recreational product for skimming on water and flying through air and separable into two sections according to claim 38, wherein there is a central longitudinal fin *on the underside of the first section* to insure even pressure throughout the first section when in motion.

Claim 44: A rider recreational product having wings for skimming on water and flying through air aerodynamically comprising first parts constituting the wings of the product and deriving its lift in flight from *the reaction* forces resulting from its motion through air and engaging the water during skimming on water.

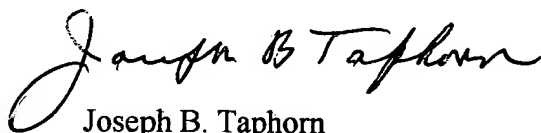
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Claim 22: A recreational product according to claim 21, wherein the wing section has control elements on its upper surface for engagement by the rider.

Claim 23: A recreational product according to claim 21, wherein the tail section has control elements on its upper surface for engagement by the rider.

Claim 24: A recreational product according to claim 21, wherein the wing section has longitudinally extending fins on its underside for facilitating control of the product when in motion.

Claim 25: A recreational product according to claim 21 wherein the tail section has longitudinally extending fins on its upper side for facilitating control of the product when in motion.

Claim 26: A recreational product according to claim 24, wherein the tail section has longitudinally extending fins on its upper side for facilitating control of the product when in motion.

Claim 27: A recreational product according to claim 26, wherein both the wing section and the tail section also have control elements on their upper surfaces for engagement by the rider.

Claim 28: A board usable as a fuselage or tail section of a recreational product for skimming on water and flying the product derives its lift in flight through the reaction forces resulting from its motion through the air aerodynamically and usable independently as a surfboard or ski, comprising a generally thin and flat elongated portion, a wider rear end on the elongated portion, and thin fins extending a) upwardly when used as a ski and b) downwardly when used as a surfboard and c) longitudinally from a surface of the wider rear end and the thin fins are upwardly when the board is attached to the recreational product for aiding control when the product is in motion through air aerodynamically.

Claim 29: A board according to claim 28, wherein the surface that is upwardly when the board is attached to the recreational product has control elements on its upper surface for engagement by the rider.

Claim 30: A board according to claim 28, wherein the surface that is upwardly when the board is attached to the recreational product is of a non-slip material.

Claim 31: A board according to claim 29, wherein the surface that is upwardly when the board is attached to the recreational product is of a non-slip material.

Claim 32: A board according to claim 29, wherein the surface that is upwardly when the board is attached to the recreational product has control elements for engagement by the rider to control the product when it is in motion.

Claim 33: A board according to claim 29, wherein the board is constituted of upper and lower layers separated by an inflatable bladder.

Claim 34: A device comprising a thin, wide body usable as a reaction-force aerodynamically-supporting wing of a waterborne and airborne recreational vehicle and independently as a rideable element, comprising a central front end portion, a wide rearward portion, and a central rearward portion having a rearward facing opening for receiving an attachment rendering the body the wing of a recreational vehicle.

Claim 35: A device according to claim 34, and a tow hook secured to the central front end portion.

Claim 36: A device according to claim 34, and fins that extend longitudinally on its underside.

Claim 37: A device according to claim 34, wherein the body is constituted of upper and lower layers separated by an inflatable bladder, and the upper layer has a non-slick upper surface and bears elements for engagement by the rider to control the body when it is in motion.

Claim 38: A rider recreational product having a wing and a fuselage or tail section for skimming on water and flying through the air aerodynamically and separable into two sections, comprising a first section constituting the wing of the product when the board is attached to the recreational product and deriving its lift in flight from the reaction forces resulting from its motion through air and independently usable as a rideable element, and a second section constituting the fuselage or tail section of the product and independently usable as a surfboard or ski, the first section having longitudinally-extending control fins on its underside for withstanding rugged or slow turns in water and air.

Claim 39: A rider recreational product for skimming on water and flying through the air and separable into two sections according to claim 38, wherein the first section has a front end, and a tow hook secured to the front end of the first section.

Claim 40: A rider recreational product for skimming on water and flying through the air and separable into two sections according to claim 38, wherein both the wing section and the tail section have control elements on their upper surfaces for engagement by the rider.

Claim 41: A rider recreational product for skimming on water and flying through air and separable into two sections according to claim 38, wherein there is a central longitudinal fin on the underside of the first section to insure even pressure throughout the first section when in motion.

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Claim 45: A rider recreational product for skimming on water and flying through air according to claim 44, said product also having a fuselage or tail section, and a second part constituting the fuselage or tail section of the product and engaging the water during skimming on water.

Claim 46: A rider recreational product for skimming on water and flying through air according to claim 44, wherein the first parts constituting the wings of the product and engaging the water during skimming on water have control elements on their upper surfaces for engagement by the rider.

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Claim 50: A rider recreational product for skimming on water and flying through air according to claim 48, wherein the second part constituting the fuselage or tail section of the product and that engages the water during skimming on water has longitudinally extending fins on its underside for facilitating control of the product when in motion.

Claim 51: A rider recreational product for skimming on water and flying through air according to claim 50, wherein both the first parts constituting the wings of the product and engaging the water during skimming on water and the second part constituting the fuselage or tail section of the product the wing of the product and engaging the water during skimming on water have control elements on their upper surfaces for engagement by the rider in prone, sitting, kneeling and standing positions.



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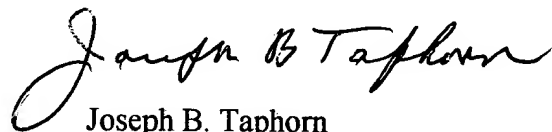
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Claim 38: A rider recreational product having a wing and a fuselage or tail section for skimming on water and flying through the air aerodynamically and separable into two sections, comprising a first section constituting the wing of the product when the board is attached to the recreational product and deriving its lift in flight from the reaction forces resulting from its motion through air and independently usable as a rideable element, and a second section constituting the fuselage or tail section of the product and independently usable as a surfboard or ski, the first section having longitudinally-extending control fins on its underside for withstanding rugged or slow turns in water and air.

Claim 39: A rider recreational product for skimming on water and flying through the air and separable into two sections according to claim 38, wherein the first section has a front end, and a tow hook secured to the front end of the first section.

Claim 40: A rider recreational product for skimming on water and flying through the air and separable into two sections according to claim 38, wherein both the wing section and the tail section have control elements on their upper surfaces for engagement by the rider.

Claim 41: A rider recreational product for skimming on water and flying through air and separable into two sections according to claim 38, wherein there is a central longitudinal fin on the underside of the first section to insure even pressure throughout the first section when in motion.

Claim 42: A rider recreational product for skimming on water and flying through air and separable into two sections according to claim 41, wherein there are longitudinally-extending fins at the outer edges of the first section for added lift and control.

Claim 44: A rider recreational product having wings for skimming on water and flying through air aerodynamically comprising first parts constituting the wings of the product and deriving its lift in flight from the reaction forces resulting from its motion through air and engaging the water during skimming on water.

Claim 45: A rider recreational product for skimming on water and flying through air according to claim 44, said product also having a fuselage or tail section, and a second part constituting the fuselage or tail section of the product and engaging the water during skimming on water.

Claim 46: A rider recreational product for skimming on water and flying through air according to claim 44, wherein the first parts constituting the wings of the product and engaging the water during skimming on water have control elements on their upper surfaces for engagement by the rider.

Claim 47: A rider recreational product for skimming on water and flying through air according to claim 45, wherein the second part constituting the fuselage or tail section of the product and that engages the water during skimming on water has control elements on its upper surface for engagement by the rider.

Claim 48: A rider recreational product for skimming on water and flying through air according to claim 44, wherein the first parts constituting the wings of the product and engaging the water during skimming on water have longitudinally extending fins on their undersides for facilitating control of the product when in motion.

Claim 49: A rider recreational product for skimming on water and flying through air according to claim 45, wherein the second part constituting the fuselage or tail section of the product and that engages the water during skimming on water has longitudinally extending fins on its upperside for facilitating control of the product when in motion.

Claim 50: A rider recreational product for skimming on water and flying through air according to claim 48, wherein the second part constituting the fuselage or tail section of the product and that engages the water during skimming on water has longitudinally extending fins on its underside for facilitating control of the product when in motion.

Claim 51: A rider recreational product for skimming on water and flying through air according to claim 50, wherein both the first parts constituting the wings of the product and engaging the water during skimming on water and the second part constituting the fuselage or tail section of the product the wing of the product and engaging the water during skimming on water have control elements on their upper surfaces for engagement by the rider in prone, sitting, kneeling and standing positions.